IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 18052 of 2005

Between:

Dadisetti Adiyya S/o. Somulu
R/o. Indukurupeta Village Devipatnam Mandal
East Godavari District.

..... PETITIONER

AND

1. The Special Deputy Collector, Tribal Welfare
   East Godavari District Rampachodavaram.
2. The Mandal Revenue Officer
   Devipatnam Mandal East Godavari District.

.....RESPONDENTS

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WRIT PETITION NO : 18097 of 2005

Between:

Devara Kannayya, S/o. Rama Rao,
Indukuru Village, Devipatnam Mandal, East Godavari District.

..... PETITIONER

AND

1. The Special Deputy Collector, Tribal-Welfare,

East Godavari District, Rampachodavaram.

2. The Mandal Revenue Officer, Devipatnam Mandal,

East Godavari District.

.....RESPONDENTS

WRIT PETITION NO : 18058 of 2005

Between:

Kadim Venkat Raju S/o Pentaiah
Devipatnam Mandal, East Godavari District

..... PETITIONER

AND

1. The Special Deputy Collector, Tribal Welfare,

East Godavari District Rampachodavaram
2. The Mandal Revenue Officer, Devipatnam Mandla,

East Godavari District

.....RESPONDENTS

ORDER:

All these three writ petitions are filed aggrieved by the action of the respondents, especially the second respondent threatening to dispossess the petitioners from the possession of their respective lands.

It is stated that the petitioners are the owners and possessors of the land shown in the notice of enquiry issued by the first respondent under the provisions of Andhra Pradesh Scheduled Areas Land Transfer Regulation Act 1 of 1959 as amended by Regulations 1 of 1970. Though the enquiry is still pending before the first respondent, the second respondent is threatening to dispossess the petitioners. Therefore, the petitioners have come up with the present writ petitions.

It is settled position that the second respondent cannot dispossess the petitioners unless there is an order passed by the first respondent declaring that the petitioners are in possession of the lands in contravention of the Regulations. Therefore, the writ petitions are disposed of directing the second respondent not to interfere with the possession of the petitioners without any order being passed by the first respondent where the ejectment of the petitioners ordered.

These writ petitions are accordingly disposed of.

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(S. ANANDA REDDY, J)

Date: 19.08.2005

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Note: Issue C.C. in two days.

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